

IDAHO DEPARTMENT OF WATER RESOURCES

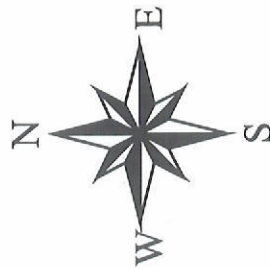
Claims: 63-3478

Date Prepared: 10-16-02

Prepared By: Ron Howerton



**T01N, R01W
S09 & S16**



● Point of Diversion

Place of use

Section

Quarter/Quarter

210 Acres

1987 NAPP

0 0.25 0.5 0.75 1 Miles

2000 PHOTO
63-3478

SESW

NENW

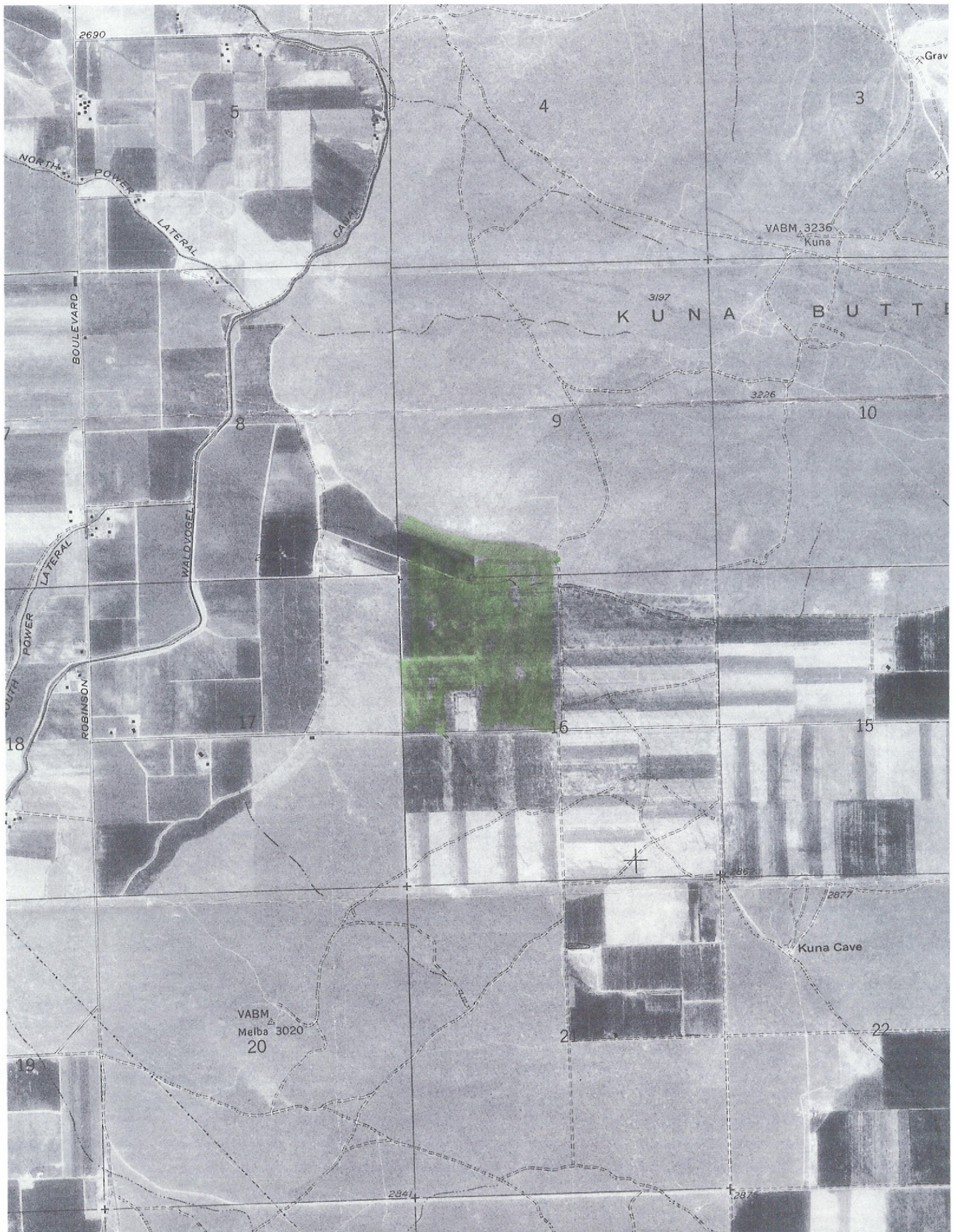
SENW

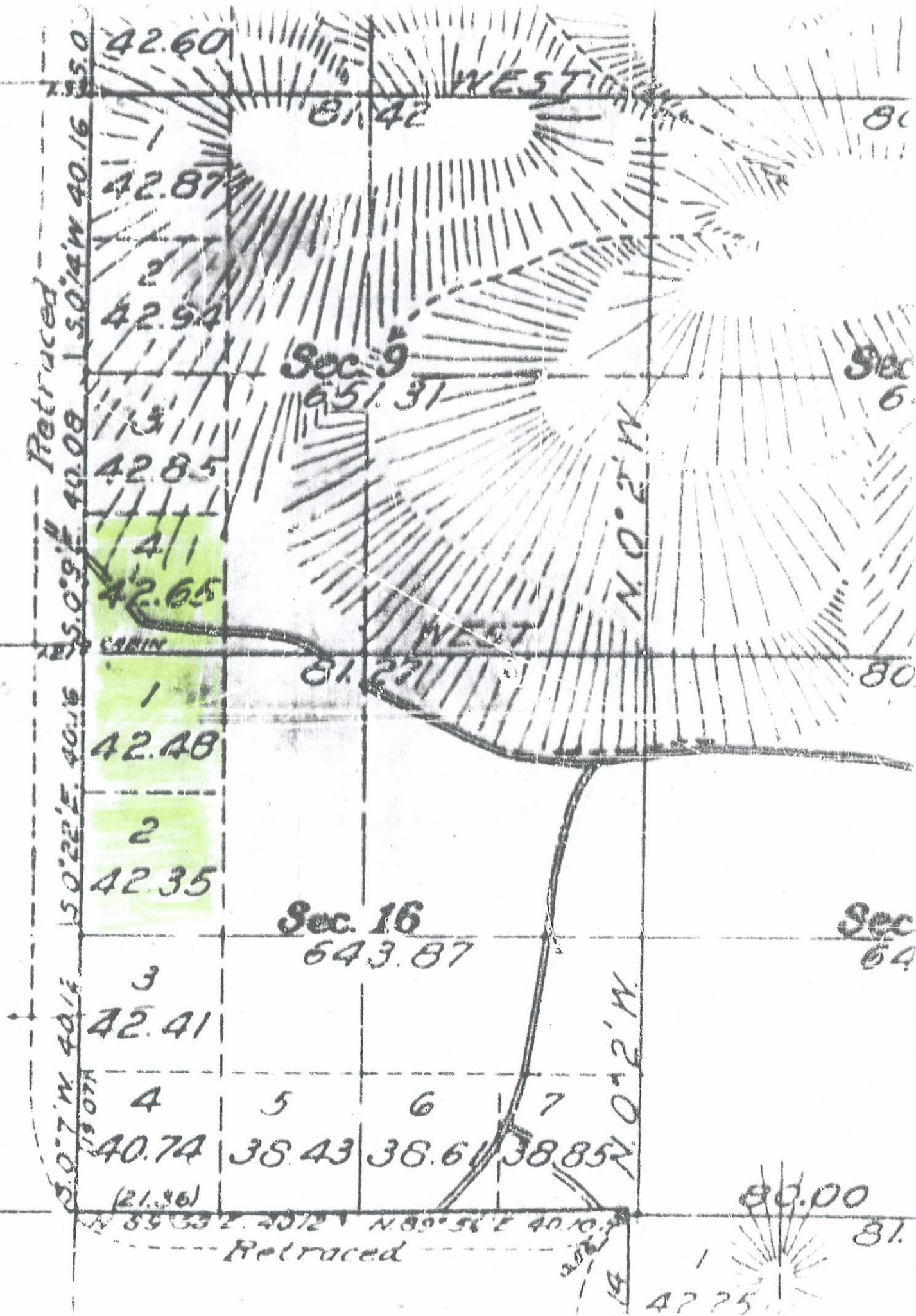
SWSW Lot 4

NWNW Lot 1

SWNW Lot 2

1981 Y-7 ORTHO





A-27

73N

40

39

8
9
17
16

30

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39

①

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1

39

40

39

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A63-03478**
Date Received: 9/ 8/1989
Receipt No: C011311
Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: ABRAHAM DE VRIES 208-922-9182
Address: 3208 W KUNA CAVE RD
KUNA ID 83634
AND/OR
Name: HERMINA DE VRIES 208-922-9182
Address: 3208 W KUNA CAVE RD
KUNA ID 83634

2. Date of Priority: NOV 23, 1965

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	01W	16		NE	NW		ADA

5. Description of diverting works:
WELL 340', 12" CASING, 150 HP PUMP & 100HP BOOSTER, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.350		

7. Total Quantity Appropriated is:
3.350 C.F.S. (and/or) 1291.50 A.F.A.

8. Total consumptive use is 833.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	01W	9	SW	SW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	01W	9	SE	SW		IRR	40.0
						Section Acres	80.0
		16	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	39.0
			SE	NW		IRR	39.0
						Section Acres	158.0
						Total Acres	238.0

11. Place of use in counties: ADA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
TRANS. 2245.
OWNERSHIP CHANGED BY DB 4/14/2000.

15. Basis of Claim: LICENSE

Water Right Number: 32614

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
 APR 07 2000
 WATER RESOURCES
 WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 Incomplete forms will be returned.

1. Water Right No(s): 63-3478, 63-22311,
 Adjudication Claim No(s): _____

2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
 - AND**
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)
 - OR**
 - C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant Jerry L. TLUCER
15188 S. Can Ada

4. New Owner/Claimant(s) Abraham and Hermina DeVries
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address 3208 W Kuna Cave Rd
 City, State and ZIP Code Kuna Id 83634
 New Telephone Number 602 922-9182

5. Date you acquired the property 12/22/98

6. **Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.**

Number of acres you irrigate with this water right _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes you acquired _____ Other uses _____

7. ☒ Signature of New Owner(s) A. DeVries
 or Claimant(s)

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

Transmutation Properties, Inc.
c/o William A. Van Dyk, Esq.
3535 Inland Empire Boulevard
Ontario, CA 91764

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

1999 OCT 19 AM 10:38

RECORDED - REQUEST OF

FEE 300 DEPUTY Navarro

99102641

PIONEER TITLE

Wild OA 3731

***** SPACE ABOVE FOR RECORDER *****

WARRANTY DEED

FOR VALUE RECEIVED TRANSMUTATION PROPERTIES, INC., a California Corporation, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto ABRAHAM DEVRIES AND HERMINA DEVRIES, husband and wife, hereinafter called the Grantee, whose address is: 1717 Elderberry Court, Ontario, California 91762-5317, the following described premises, in Ada County, Idaho, to wit:

PARCEL A

GOVERNMENT LOT 4 AND THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 TOWNSHIP 1 NORTH, RANGE 1 WEST OF BOISE MERIDIAN IN ADA COUNTY, IDAHO.

PARCEL B

THE EAST ONE HALF OF THE NORTHWEST QUARTER AND GOVERNMENT LOTS 1 AND 2 OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 1 WEST, BOISE MERIDIAN, ADA COUNTY, IDAHO.

TOGETHER WITH all water, and water rights and interests, appurtenant to or inuring to the benefit of the premises.

Tax Parcel No.'s S2209330000 and S2216210000

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantor and to the successors, heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises, that they are free from all encumbrances except as above described and except as reflected within the public record and that Grantor will warrant and defend the same from all lawful claims whatsoever.

TRANSMUTATION PROPERTIES, INC.,
a California Corporation

Dated: October 14, 1999.

by:

[Signature]
Frank J. Lizarraga, Jr., President

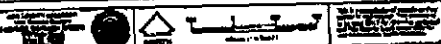
STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)

On October 14, 1999, before me, a Notary Public in and for said State, personally appeared FRANK J. LIZARRAGA, JR., personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

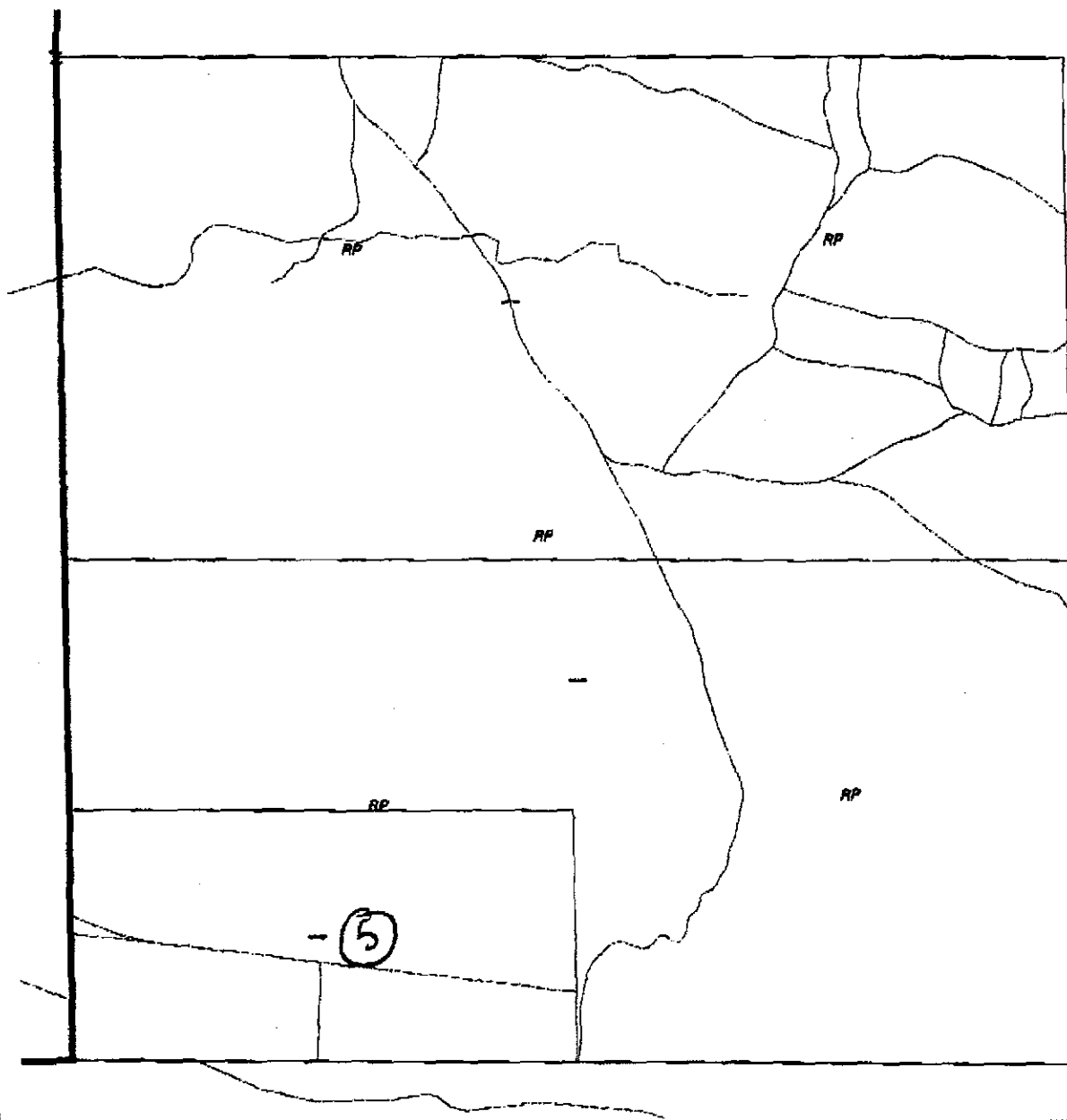
[Signature]
William A. Van Dyk, Notary Public
Residing at: 3535 Inland Empire Boulevard
Ontario, CA 91764
My Commission Expires: November 5, 2002



SECTION 09, T1N R1W

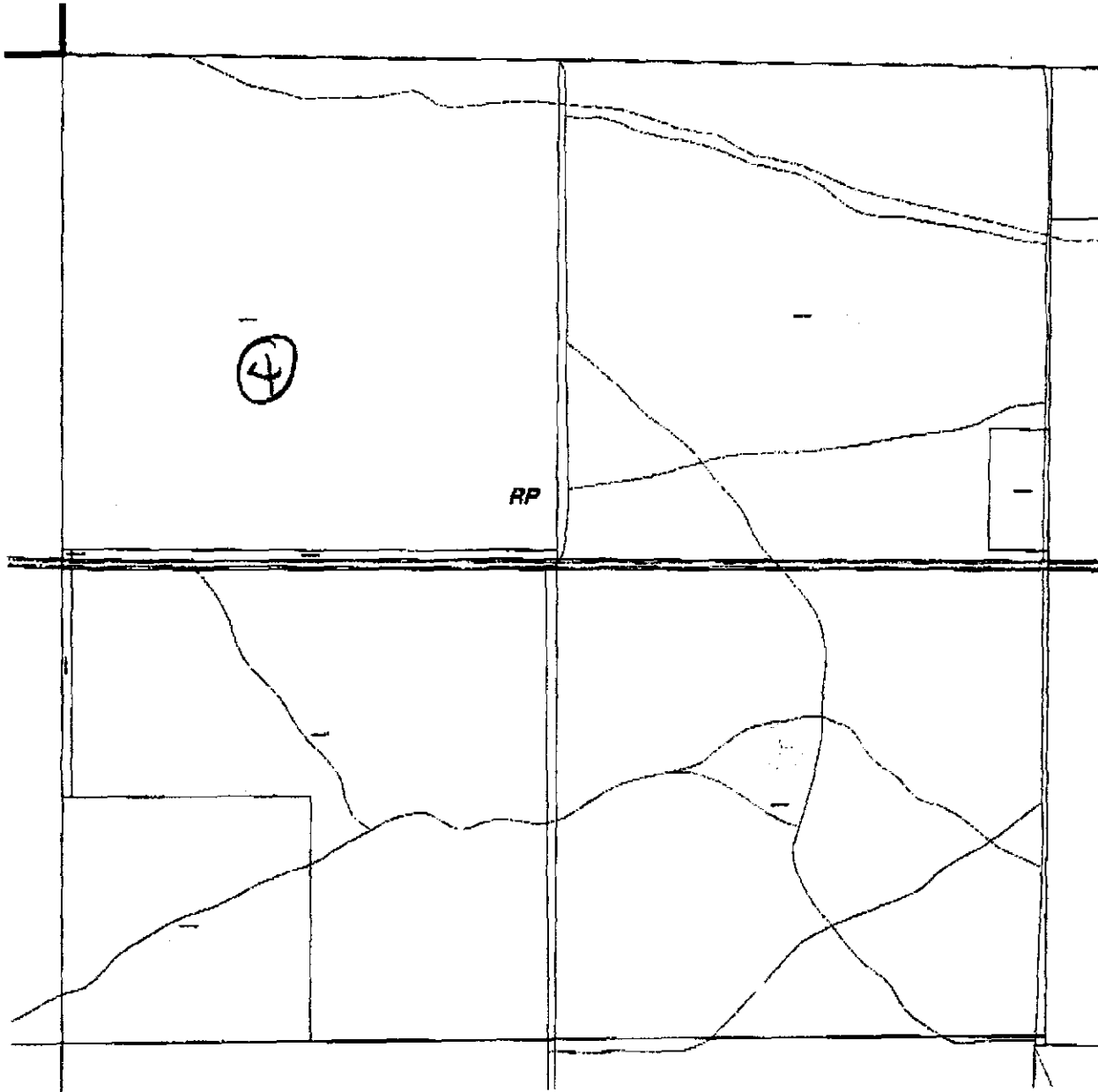


ALL RIGHTS RESERVED
PIONEER TITLE CUST SERVIC
PIONEER TITLE CUST SERVIC



SECTION 16, T1N R1W

THESE LINES ARE NOT TO BE USED FOR ANY OTHER PURPOSES THAN TO SHOW THE LOCATION OF THE SECTION CORNERS. ANY OTHER LINES SHOWN ARE FOR INFORMATION ONLY. THE USER OF THIS MAP IS ADVISED THAT THE PIONEER TITLE COMPANY DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION SHOWN ON THIS MAP.



MAR-24-2000 08:07

PIONEER TITLE CUST SERVIC

208 373 3675 P.05/11

Parcel	SZZ16210000	Code Area 274	Type	Qty	Value	ACTIVE
Name	DEVRIES ABRAHAM &		010	152.330	52359	Data From
	DEVRIES HERMINA		050	10.000	376	Master
Buyer			100	.500	7000	Bank Code
C/O			190	2.000		
Address	1717 ELDERBERRY CT		320		9000	PrePaid
	ONTARIO	CA				L.I.D.
		91762 - 5317				Bankrupt
						Sub.Code

Last Change : 0/01/13 By : ASR2..PRIEB

Total

68735

Annexation *NO
Notes

Desc. E2NW4 & LOTS 1 & 2
SEC 16 1N 1W

Exemption

~~93310000~~

Grp 000 Typ 000 Ap

01N01W160000 1N 1W 16 Hardship
Property Zoning RP Flag
Address 00001 W KUNA CAVE RD MELBA ID 83641-0000 D.D.
Space Type 1 REAL Roll 1 PRIMARY Occ. 0 NON-OCC Action:
F2=Select F3=Exit F9=UR F10=Tax

④

MAR-24-2000 08:07 PIONEER TITLE CUST SERVICE 208 373 3675 P.06/11
 Parcel 52209330000 Code Area 92 Type Qty Value ACTIVE
 Name DEVRIES ABRAHAM & 010 30.000 21964 Data From
 DEVRIES HERMINA 050 52.650 1977 Master
 Buyer Bank Code
 C/O PrePaid
 Address 1717 ELDERBERRY CT L.I.D.
 ONTARIO CA Bankrupt *
 91762 - 5317 Sub.Code
 Last Change : 0/01/13 By : ASR2 PRIEB Total 23941 Annexation *NO
 Desc. LOT 4 & SE4SW4 Notes
 SEC 9 1N 1W
 #59102641 Exemption
 Grp 000 Typ 000 Ap
 01N01W090000 1N 1W 09 Hardship
 Property Zoning RP Flag
 Address 00000 W KUNA CAVE RD MELBA ID D.D.
 Space Type 1 REAL Roll 1 PRIMARY Occ. 0 NON-OCC Action:
 F2=Select F3=Exit F9=UR F10=Tax

5

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-03478
Date Received: 9/18/1989
Receipt No: C011672
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JERRY L. TLUCEK 208-459-2550
Address: RT. 1
MELBA, ID 83641
AND/OR
Name: MARY LOU TLUCEK 208-459-2550
Address: RT. 1
MELBA, ID 83641
2. Date of Priority: NOV 23, 1965
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	01W	16	NE	NE	NW		ADA
5. Description of diverting works:
WELL 340', 12" CASING, 150 HP PUMP & 100HP BOOSTER, SPRINKLERS
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.350		
7. Total Quantity Appropriated is:
3.350 C.F.S. (and/or) 1291.50 A.F.A.
8. Total consumptive use is 833.0 Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	01W	9	SW	SW		IRR	40.0

A63-03478 Page 1 Date: 05/16/90

MICROFILMED
AUG 19 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	01W	9	SE	SW		IRR	40.0
Section Acres							80.0
		16	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	39.0
			SE	NW		IRR	39.0
Section Acres							158.0
Total Acres							238.0

11. Place of use in counties: ADA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
TRANS. 2245.

15. Basis of Claim: LICENSE

Water Right Number: 32614

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
 _____ Date: _____

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

17. Notice of Appearance:

Notice is hereby given that I, _____ will be
_____ Print Name
acting as attorney at law on behalf of the claimant signing above, and that
all notices required by law to be mailed by the director to the claimant
signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number AL63-03478Date Received 9-18-89Receipt Number CO/1311 Reg Fee
CO/1672 Late Fee

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

SEP 18 1989

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Jerry L. and/or Mary Lou Tlucek Phone (208) 495-2550
Mailing Address Route 1, Melba, Idaho Zip 83641

2. Date of Priority (Only one (1) per claim) November 23, 1965

3. Source of water supply (a) groundwater
which is tributary to (b) N/A

4. a. Location of existing point of diversion is: Township 1 N. Range 1 W. Section 16,
1/4 of NE 1/4 of NW 1/4, Govt. Lot, B.M., County of Ada

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Well is approximately 340 feet deep,
12-inch diameter casing, 150 h.p. verticle turbine pump to 100 h.p. booster pump
to mainline and handlines for sprinkler irrigation

MICROFILMED

AUG 19 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from March 15 to Nov 15 amount 3.35 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 3.35 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 833 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
1 N.	1 W.	9											40	40					80
1 N.	1 W.	16					40	40	39	39									158

Total number of acres irrigated 238

11. In which county (ies) are lands listed above as place of use located? Ada

12. Do you own the property listed above as place of use? Yes xx No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None (xx)

14. Remarks:

Last Name Tlucek Ident No. _____

MICROFILMED
Copies: White State Yellow-Claimant
AUG 19 1992

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

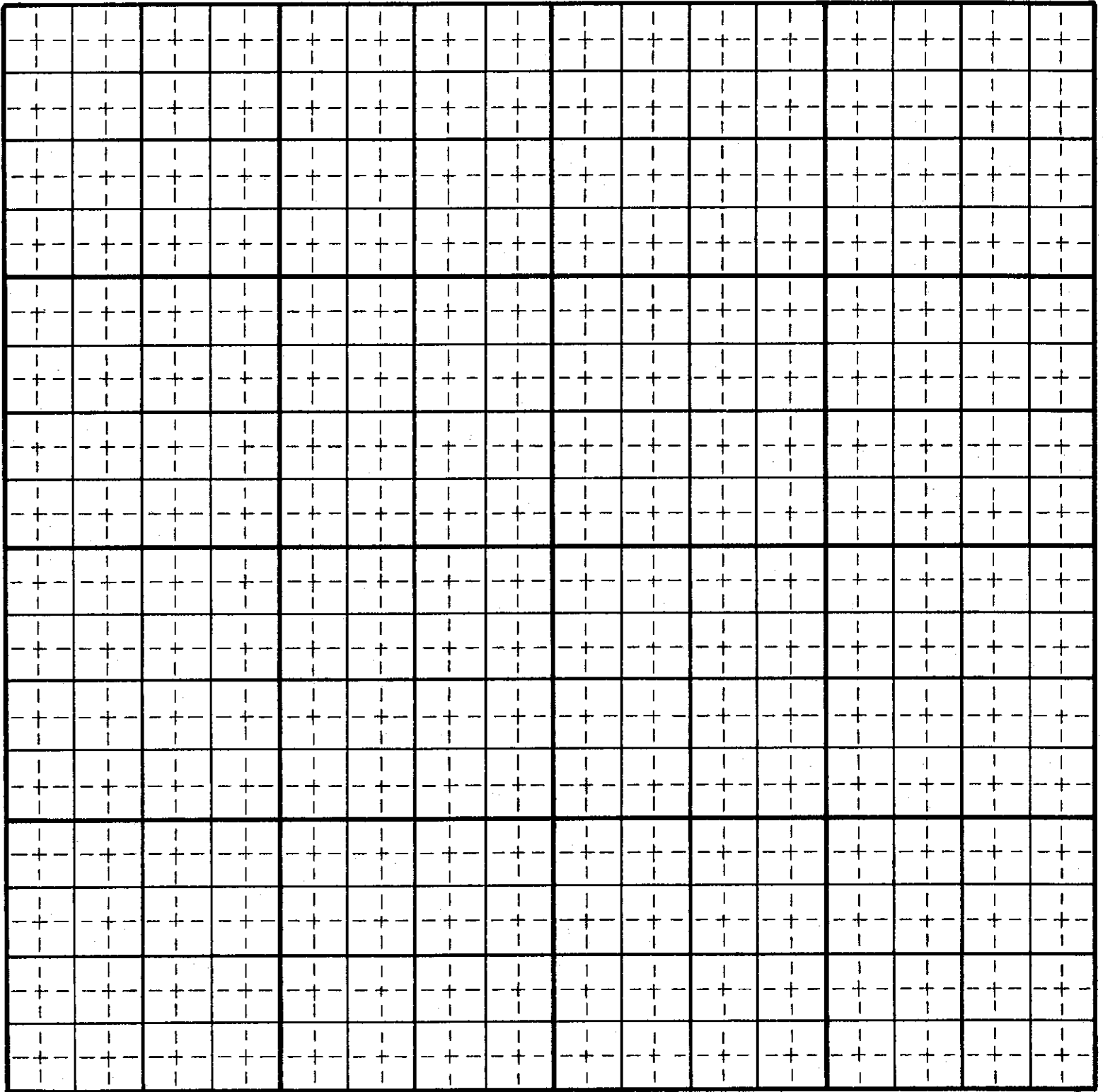
The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

SEE EXHIBIT A



MICROFILMED

Last Name Tlucek Ident No. _____

Copies: White-State, Year 1992 Claimant AUG 19 1992

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License XX Permit _____
Decree _____
If applicable provide IDWR Water Right Number 32614/63-3478
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not XX
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) *James L. Lucif* Date 9/13/89

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 13th day of Sept 1989

SEAL

Notary Public *Lynn Perry*

Residing at *Oneibat*

My Commission Expires 11-12-92

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, Scott L. Campbell will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address P.O. Box 1539, Boise, ID 83701

Date _____

Last Name Tlucek Ident. Number _____

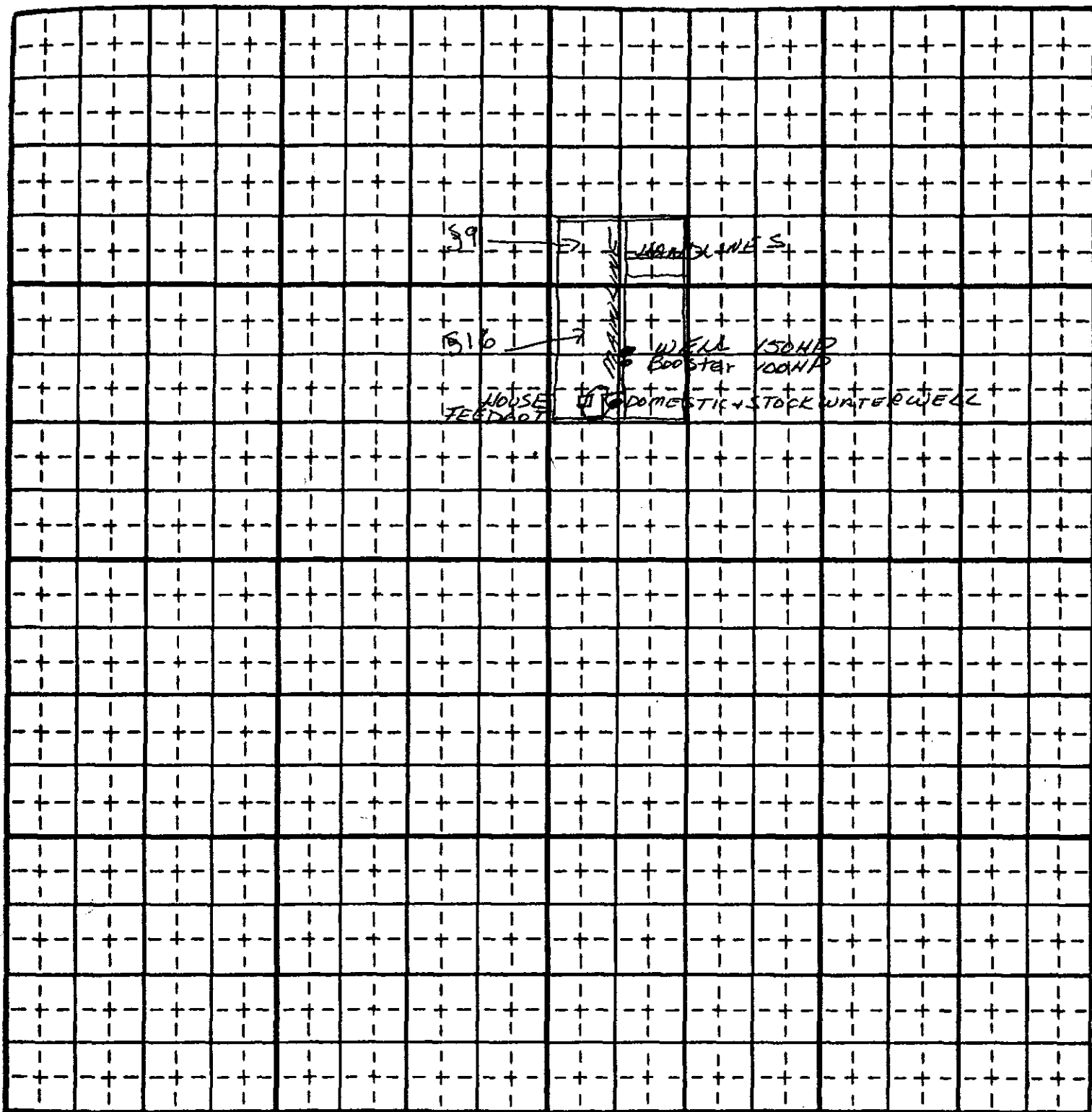
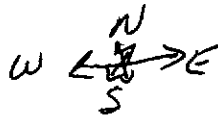
MICROFILMED

AUG 19 1992

Copies White-State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



10-200 GAL STOCK WATER TANKS

Last Name TRUCK

Ident No. BOENKE RACE

Copies: White-State, Yellow-Crawford

S 1/2 of SW 1/4 SEC 9 TWN 1ND R 1W AND NW 1/4
of SEC 16 TWN 1ND R 1W

MICROFILMED

AUG 19 1992

Blumberg No. 5119

EXHIBIT

A

Removed Scott
Campbell as Attorney
per call from his
office. He was
attorney for original
owners.

6-7-05 Ltt

NOTICE OF ERROR
REPLY

06/02/2005
RECEIVED
JUN 22 2005

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

WATER RESOURCES
WESTERN REGION

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: July 15, 2005

Water right number: 63-3478

ABRAHAM DE VRIES
3208 W KUNA CAVE RD
KUNA ID 83634
Telephone Number: (208)922-9182

HERMINA DE VRIES
3208 W KUNA CAVE RD
KUNA ID 83634
Telephone Number: (208)922-9182

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE: June 17, 2005 SIGNATURE: Cynthia DeVries
Please print your name: Cynthia DeVries

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

11/07/2002

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-3478

NAME AND ADDRESS: ABRAHAM DE VRIES
3208 W KUNA CAVE RD
KUNA ID 83634

HERMINA DE VRIES
3208 W KUNA CAVE RD
KUNA ID 83634

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.350 CFS
945.000 AFY

PRIORITY DATE: 11/23/1965

POINT OF DIVERSION:

T01N R01W S16 NENW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	3.350 CFS 945.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within ADA County

T01N R01W S09 Lot 4 SWSW	30.0	T01N R01W S09	SESW	21.0
T01N R01W S16	NENW 40.0	T01N R01W S16 Lot 1	NWNW	43.0
T01N R01W S16 Lot 2	SWNW 36.0	T01N R01W S16	SENW	40.0

210 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: License

IN OFFICE

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid
- ☒ Well logs (if needed)
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) 63-3478

Owner: _____ Phone No. _____

Current Address: _____

- ☐ No change NAME IS THE SAME
- ☐ NEW OWNER _____
- ☐ No change Address
- ☐ NEW ADDRESS _____
- ☐ How long owned property? _____

Accompanied by: _____

PRIORITY DATE

- ☒ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: _____

(If priority date, based on your exam, seems questionable, explain below.)

Source: _____ Tributary to _____

- ☒ No Change – SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID

Description of diverting works

SAME AS CLAIM**OVERLAP REVIEW**Other water rights with the same point of diversion: NONE

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

WATER USES

- ☐ No change
☐ Different Uses

ADD
 SHOULDER REMARK CAN
 START AS EARLY AS MARCH 1st

Use _____ From _____ To _____ Amount _____ CFS _____ AFA
 Use _____ From _____ To _____ Amount _____ CFS _____ AFA
 Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME – Groundwater only

- ☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA
☒ Changes found, the new total is, Amount _____ CFS 945 AFA
☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

- ☒ No change
☐ Changes Exam found: Domestic # of homes _____ Stock # _____
 Types _____ Additional comments: _____

PLACE OF USE:

- ☐ No Change
☒ Changes shown below:

SEE LAYOUT - LESS ACRES

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	1W	9											30	21					
		16					40	43	36	40									
																			210

Overlap with other water rights: NONE

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

Delivery System Narrative: SAME AS LIC.

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

VOL ON TRANSFER WAS CALC AT 4.5 PER ACRE
THUS SAME IS PRORATED FOR 210 ACRES FOUND
AFTER TRANSFER.

CFS ON TRANSFER IS LESS THAN 0.02 / ACRE, CAN
ALLOW FULL TRANSFERRED CFS OF 3.35 BECAUSE IT
IS STILL LESS THAN 0.02 CFS PER ACRE.

TRANSFER ALLOW 270 ACRES, BUT ONLY 210 ACCOMPLISHED
FROM THE TRANSFER, NO RESUMPTION FOUND ON
2000 PHOTO, NO ADDITIONAL ACRES FOUND ON 1981
Y7 ORTHO.

DATE: 05/09/00
PAGE: 91

$$\frac{LIC \text{ CFS} = 3.35}{\text{NEW ACRES} = (210)(.02) = 4.2 \text{ CFS BUT NOT LIC.}} \quad \text{NA}$$
$$\text{VOL} = 4.5 / A_c \text{ (LIC} = 1291.5 \text{ OLD)}$$
$$(210)(4.5) = 945 \text{ AFA}$$

Old (D) Number - 32614

+ + + + +	- - - - -	+ + + + +	- - - - -	+ + + + +	- - - - -
Last Name	- - - - -	First Name	- - - - -	Address	- - - - -

1 - RT. 1

Status . . . +

+ - - - - Source - - - - - +
GROUNDWATER
+ - - - - Tributary - - - - - +

Tract	Sec	Tract	Lot	Rflg	County	Point of Diversion	Diversion Name	Diversion Rate	Diversion No.
-------	-----	-------	-----	------	--------	--------------------	----------------	----------------	---------------

01N 01W 16 NE NW (1) ADA

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
+	-	-	-	-	-	+

01 - IRRIGATION	03/15	11/15	3.350	1291.50
-----------------	-------	-------	-------	---------

+ - Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Div. Capacity - +
3,350	1291.50	

Town	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
+	-	-	-	-	-	-	-	+

01N	01W	9	SW	SW	40.0	01	IRRIGATION	(1)	ADA
01N	01W	9	SE	SW	40.0	01	IRRIGATION	(1)	ADA
01N	01W	16	NE	NW	40.0	01	IRRIGATION	(1)	ADA
01N	01W	16	NW	NW	40.0	01	IRRIGATION	(1)	ADA
01N	01W	16	SW	NW	39.0	01	IRRIGATION	(1)	ADA
01N	01W	16	SE	NW	39.0	01	IRRIGATION	(1)	ADA

Total Acres: 238.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

- + - - Other Rights for Same Use -

	+-----+ Remarks
	TRANS. 2245.

+	- - - - -	- - - - -	- - - - -
		Old Water Right Numbers	+ + + + +
		No Old Water Right Numbers found.	+ + + + +

IDAHO DEPARTMENT OF WATER RESOURCES
10/16/2002

ADJUDICATION CLAIM POD REVIEW REPORT

ADJUDICATION CLAIM NUMBER: 63-3478

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-3478	Claim	01N	01W	16	NE	NW		GROUND WATER	HERMINA DE VRIES
63-10744	Water Right	01N	01W	16	NE	NW		GROUND WATER	MARY A DYER
63-3478	Water Right	01N	01W	16	NE	NW		GROUND WATER	IRVIN BOEHLKE

IDAHO DEPARTMENT OF WATER RESOURCES

10/16/2002

ADJUDICATION CLAIM POU REVIEW REPORT

ADJUDICATION CLAIM NUMBER: 63-3478

1

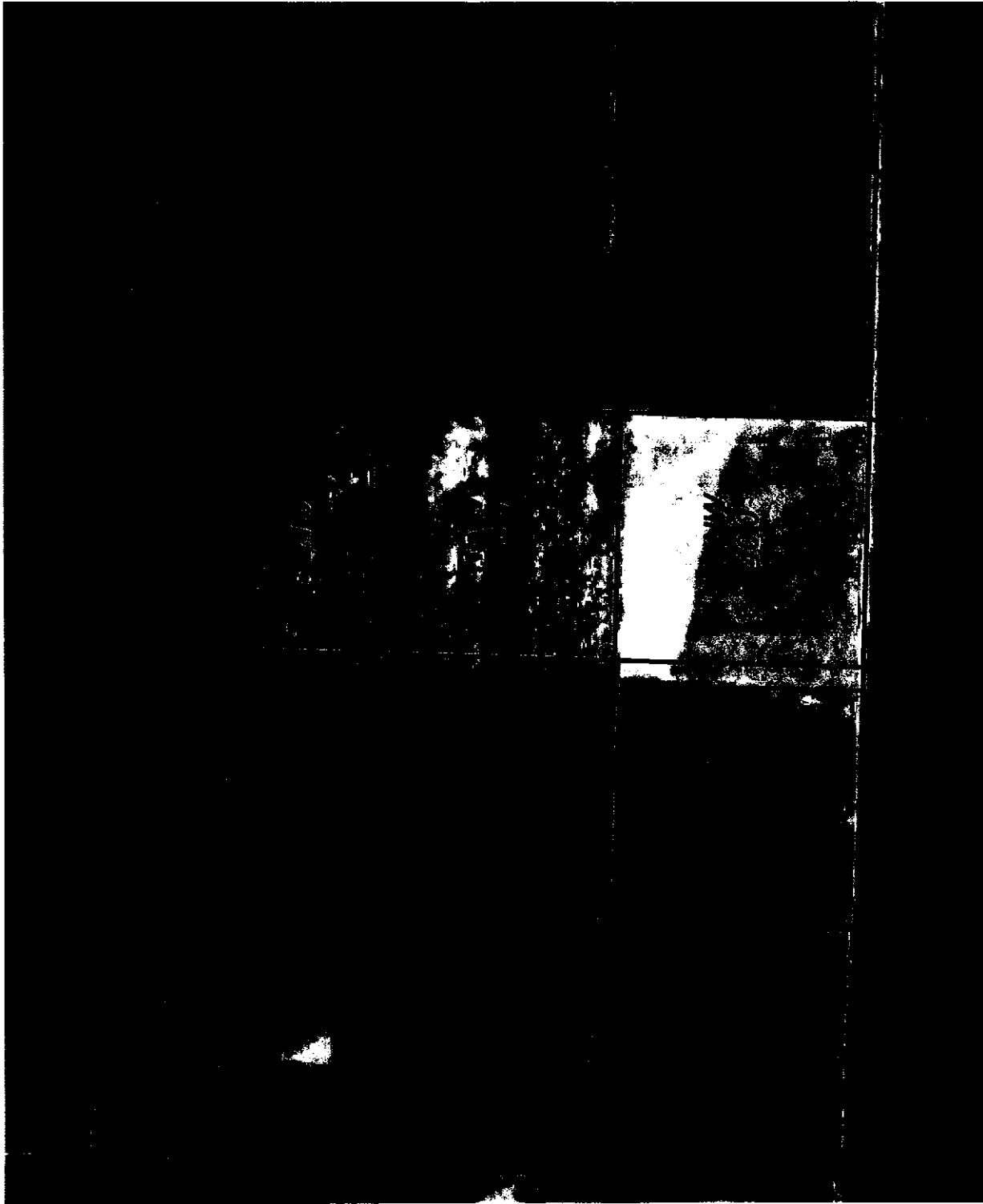
Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
63-3478	Claim	01N	01W	9	SW	SW		IRRIGATION	40/238	HERMINA DE VRIES
63-3478	Water Right	01N	01W	9	SW	SW		IRRIGATION	40/238	IRVIN BOEHLKE
63-3478	Claim	01N	01W	9	SE	SW		IRRIGATION	40/238	HERMINA DE VRIES
63-3478	Water Right	01N	01W	9	SE	SW		IRRIGATION	40/238	IRVIN BOEHLKE
63-3478	Claim	01N	01W	16	NE	NW		IRRIGATION	40/238	HERMINA DE VRIES
63-3478	Water Right	01N	01W	16	NE	NW		IRRIGATION	40/238	IRVIN BOEHLKE
63-3478	Claim	01N	01W	16	NW	NW		IRRIGATION	40/238	HERMINA DE VRIES
63-3478	Water Right	01N	01W	16	NW	NW		IRRIGATION	40/238	IRVIN BOEHLKE
63-3478	Claim	01N	01W	16	SW	NW		IRRIGATION	39/238	HERMINA DE VRIES
63-3478	Water Right	01N	01W	16	SW	NW		IRRIGATION	39/238	IRVIN BOEHLKE
63-3478	Claim	01N	01W	16	SE	NW		IRRIGATION	39/238	HERMINA DE VRIES
63-3478	Water Right	01N	01W	16	SE	NW		IRRIGATION	39/238	IRVIN BOEHLKE

IDAHO DEPARTMENT OF WATER RESOURCES

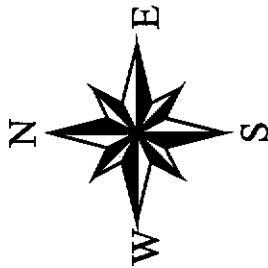
Claims: 63-3478

Date Prepared: 10-16-02

Prepared By: Ron Howerton



**T01N, R01W
S09 & S16**



● Point of Diversion



Place of use



Section



Quarter/Quarter

210 Acres

1987 NAPP

0 0.25 0.5 0.75 1 Miles

2000 PHOTO
63-3478



1981 Y-7 ORTHO



Retraced

50° 07' N 40° 16' E 150.24' 40.16' 85.0

42.60
42.87
42.94
42.85
42.48
42.35
42.41
40.74
(21.36)

Sec. 5
65.31

Sec. 16
643.87

Sec. 6
80

Sec. 64
80

N. 0° 2' W

0° 12' W

Retraced

42.25

80.00

81

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES **APPROVED**
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant IRVIN BORHLKE Phone 495-2895
Post office address RT 1 KUNA ID 83634

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree to _____ (Name)
in case of _____ vs _____
dated _____ in _____ county of _____
(Name of court)

b. License No. 32614/43-3478 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

3. Source of water Ground water tributary to _____

4. Date of priority Nov. 22, 1965

5. Water is used for the following purposes:

amount 3.35 cfs for IRRIGATION purposes from MARCH 15 to NOV. 15
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day - both dates inclusive)

6. Total amount of water under right: a. 3.35 cubic feet per second
b. 1,291.5 acre feet per annum

7. Location of original point of diversion is NE % of NW % of Section 16
Township 1 N Range 1 W B.M., in ADA County

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>2 N</u>	<u>1 W</u>	<u>9</u>											<u>30</u>	<u>20</u>					<u>50</u>
		<u>16</u>					<u>40</u>	<u>40</u>	<u>39</u>	<u>39</u>									<u>158</u>
		<u>17</u>	<u>40</u>			<u>39</u>													<u>79</u>

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1. Amount of water: a. _____ cubic feet per second
 &/or
 b. _____ acre feet per annum
2. Point of diversion _____ % _____ %, Section _____ Township _____
Range _____ , B.M., _____ County _____
Additional points _____
3. Place of use:

[illegible]

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion No Change
- a. Amount of water to be diverted _____ c.f.s. &/or _____ acre feet
- b. Point(s) of diversion _____ % _____ %, Section _____ Township _____
Range _____, B.M., _____ County _____
Additional points _____
- c. Description of diverting works _____
- d. Describe the reasons for applying for a change in the point(s) of diversion _____

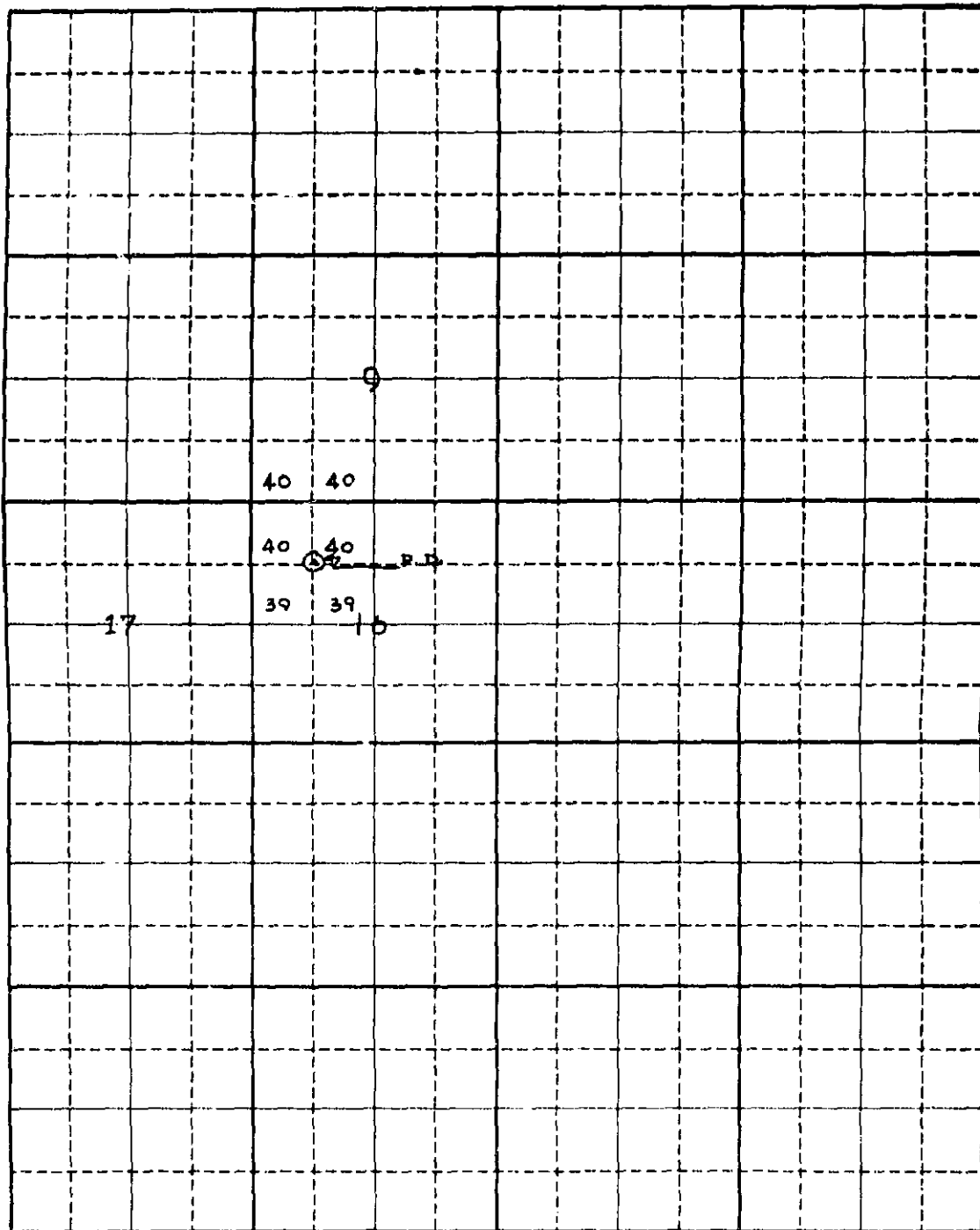
2. Change in place of use

- a. Describe the lands or place of use to which the right will be transferred:

[illegible]

Total number of acres to be irrigated 236

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

3. Remarks _____

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

John Brinkley
(Signature of applicant)

Subscribed and sworn to before me this 26th day of April, 19 78.

Katherine J. Weaver
(Notary public)

My commission expires 6-15-1981

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 63-3478 and said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 6th day of July, 19 78.

Norman C. Young
ADMINISTRATOR

FOR DEPARTMENT USE ONLY

Received by <u>J.J.</u>	Date <u>4/26/78</u>	Protest filed by _____
Prelim. check by <u>J.J.</u>	Fee <u>39.00</u> <u>4/26/78</u>	_____
Receipted by <u>KW</u>	Date <u>4/26/78</u> # <u>11283</u>	_____
Published in <u>Idaho Statesman</u>	Copies of protest forwarded by _____	
Pub. dates <u>6/8 + 6/15/78</u>	Hearing held by _____ Date _____	
Watermaster recommendation requested on _____	Recommended for <u>approval</u> denial	
_____ rec'd. _____	by <u>DBS</u> <u>J.J.</u>	

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 32614/63-3478 Priority Nov. 23, 1965 Amount 3.35 cfs

THIS IS TO CERTIFY, that IRVIN BOEHLKE
of Nampa, Idaho, has complied with the terms and conditions of Permit
No. 32614/63-3478 issued pursuant to Application for Permit dated November 23, 1965,
and has submitted proof to the Department of Water Administration on November 26, 1970,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 3.35 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:
Amount 3.35 cfs for Irrigation from March 15 to Nov. 15 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 3.35 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 16, Twp. 1 N, Rge. 1 W, B.M.

in the county of Ada; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 1,291.5 acre feet per year or _____
4.5 acre feet per acre.

Description and location of place of use:

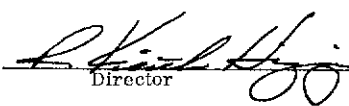
TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
1 N	1 W	9											30	20					50
		16					40	40	39	39									158
		17	40			39													79

Total number of acres irrigated 287

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 3 day of

October, 19 73.


Director

63 3478

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of applicant IRVIN BOEHLKE Phone 495-2895Post office address RT 1 KUNA ID 83634

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree to _____ (Name)
in case of _____ vs _____
dated _____ in _____ county of _____
(Name of court)

b. License No. 32614/63-3478 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

3. Source of water Ground water tributary to _____4. Date of priority Nov. 23, 1965

5. Water is used for the following purposes:

amount 3.35 cfs for IRRIGATION purposes from MARCH 15 to NOV. 15
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day - both dates inclusive)

6. Total amount of water under right: a. 3.35 cubic feet per secondb. 1,291.5 acre feet per annum

7. Location of original point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 16
Township 1 N Range 1 W, B.M., in ADA County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
<u>1N</u>	<u>1W</u>	<u>9</u>											<u>30</u>	<u>20</u>					<u>50</u>
		<u>16</u>					<u>40</u>	<u>40</u>	<u>39</u>	<u>39</u>									<u>158</u>
		<u>17</u>	<u>40</u>			<u>39</u>													<u>79</u>

Total number of acres to be irrigated 281

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion No Change
 - a. Amount of water to be diverted _____ c.f.s. &/or _____ acre feet
 - b. Point(s) of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
 - c. Description of diverting works _____
 - d. Describe the reasons for applying for a change in the point(s) of diversion _____

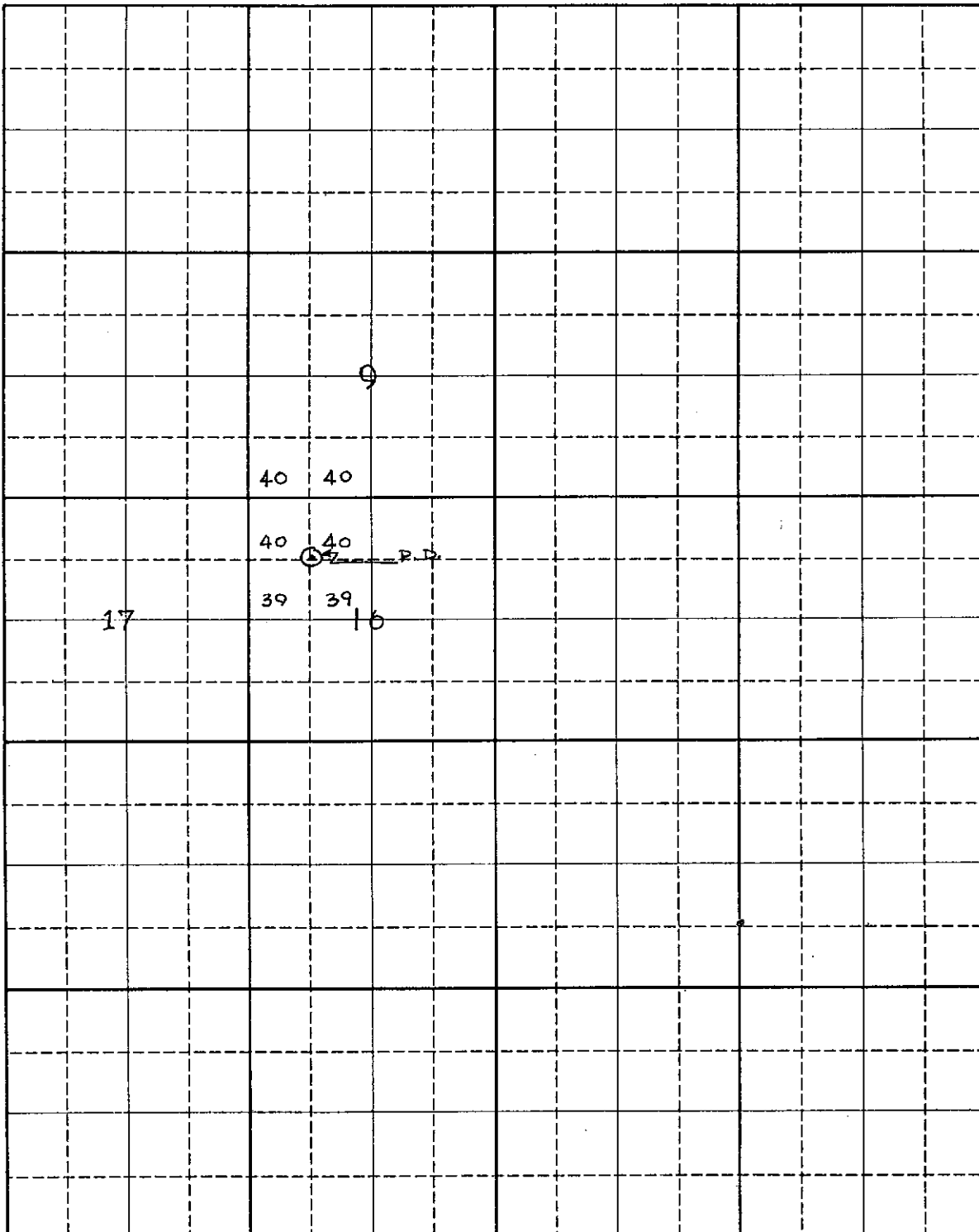
2. Change in place of use

- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1N	1W	9											40	40					80
		16					40	40	39	39									158

Total number of acres to be irrigated 238

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

3. Remarks _____

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

Arin Brakke
(Signature of applicant)

Subscribed and sworn to before me this 26th day of April, 19 78.

Katherine J. Weaver
(Notary public)

My commission expires 6-15-1981

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 63-3478
and said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 6th day of July, 19 78.

Norman C. Young
ADMINISTRATOR

FOR DEPARTMENT USE ONLY

Received by <u>J.J.</u>	Date <u>4/26/78</u>	Protest filed by _____
Prelim. check by <u>J.J.</u>	Fee <u>30.00</u> <u>4/26/78</u>	_____
Receipted by <u>KW</u>	Date <u>4/26/78</u> # <u>11283</u>	_____
Published in <u>Idaho Statesman</u>	Copies of protest forwarded by _____	
Pub. dates <u>6/8 + 6/15/78</u>	Hearing held by _____ Date _____	
Watermaster recommendation requested on _____	Recommended for <u>approval</u> denial	
_____ rec'd. _____	by <u>DBS</u> <u>J.J.</u>	

APPLICATION FOR PERMIT
To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 40772
Permit No. G- 32614
District No.

1. Name of Applicant: **Irvin Boehlke**
Postoffice address: **Rt. 3, Nampa** County: **Canyon** State: **Idaho**
2. Quantity of water claimed: **290 inch - 5.8 c.f.s.**
 - (a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: **Subterranean**
4. Location of point of diversion or well is in the **NE 1/4** of the **NW 1/4** of Section **16**
Twp. 1 N., Rge. **1 W.**, B.M., County of **Ada**
5. Water is to be used for: **Irrigation**
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the **1/4** of the **1/4** of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the **1/4** of the **1/4** of Section , Twp. , Rge. , B.M.
7. Kind of works: **Electric motor - part sprinkler - part surface**
8. Estimated cost of works: **\$ 28,000.00 plus**
9. (a) Is reservoir to be used? **no**
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is **5** years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: **None**
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) **5.8** (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

s/ IRVIN BOEHLKE

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 1:00 P.M. November 23, 1965

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G-- 32614

Recorded in Book 114 Page 32614 Approved November 26, 1965

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before May 26, 1968

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before November 26, 1970

Witness my hand this 26th day of November, 1965

s/ CARL E. TAPPAN

STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 26th day of November, 1965.

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS

By s/ ROBERT E. SMYLIE

Governor

Secretary of State.

12.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
1 N.	1 W.	16					40	40	40	40									160
		17																	80
		9	40			40					30	20							50
																		TOTAL	290

LICENSE ISSUED FOR 333 SEC. FT.
L. E. TAPPAN
L. E. TAPPAN

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder Irvin Boehlke
Post office address Route #3, Nampa, Idaho Phone _____
Person to contact _____ Phone _____
2. Source of water supply: Groundwater ☒ Surface water ☐ Subterranean
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 5.8 c.f.s. for Irrigation
 AF/Annum (nature of use)

Period of Use: from April 1 to October 15
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum _____ (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 5.8 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 1 N N/S, Range 1 W E/W, B.M., Section 16, Subdivision NE 1/4 NW 1/4, Ada

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____
County _____

Other Points of Diversions: _____

Description of diverting works: Subterranean 150 h.p. 3-STG 14" THLC Bowl Unit, 10" column
220 ft. Well - 18" to 264' than 12" to 375' static water level 212'.

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

[illegible]

63 3475

TOTAL ACREAGE _____ 290

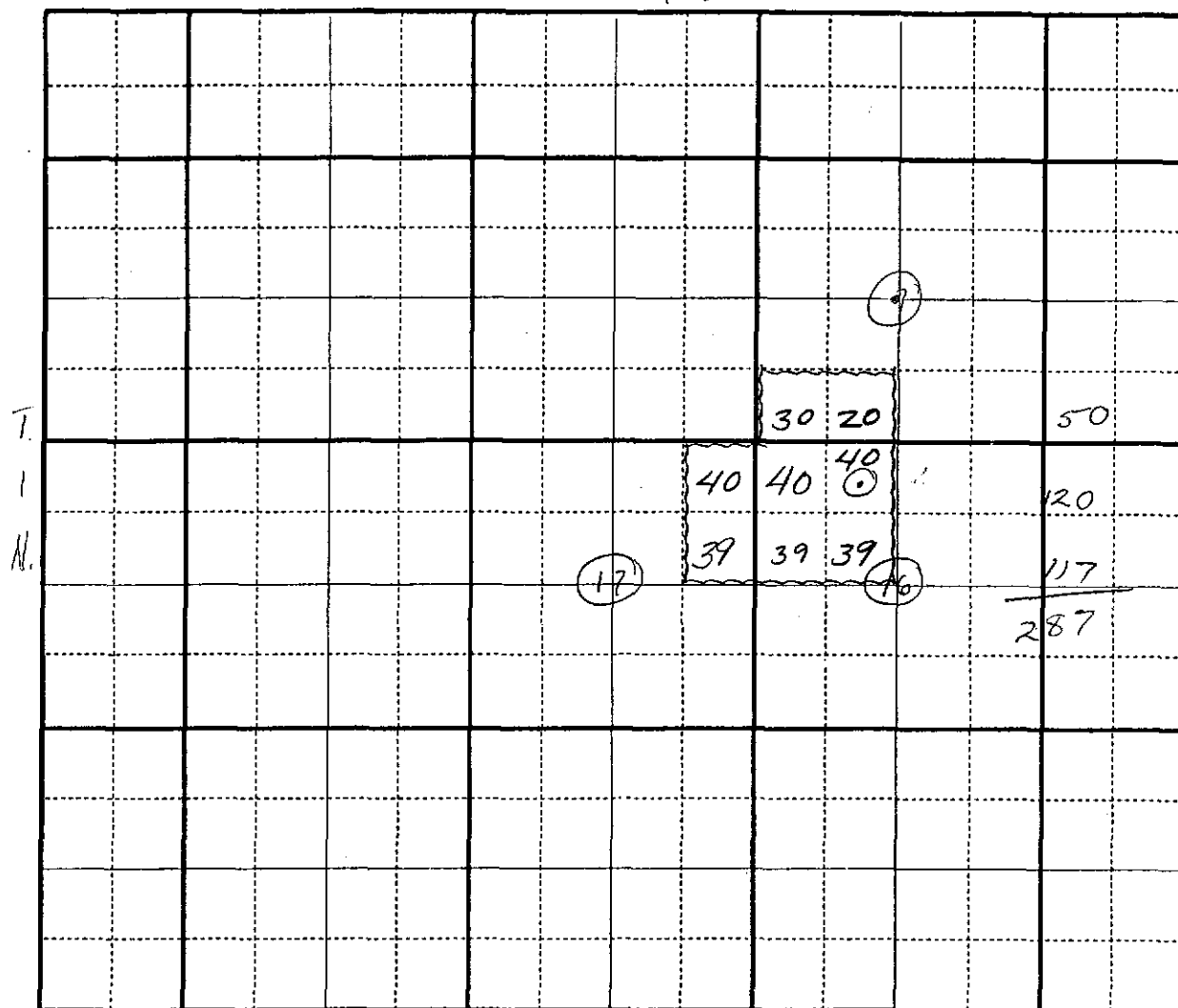
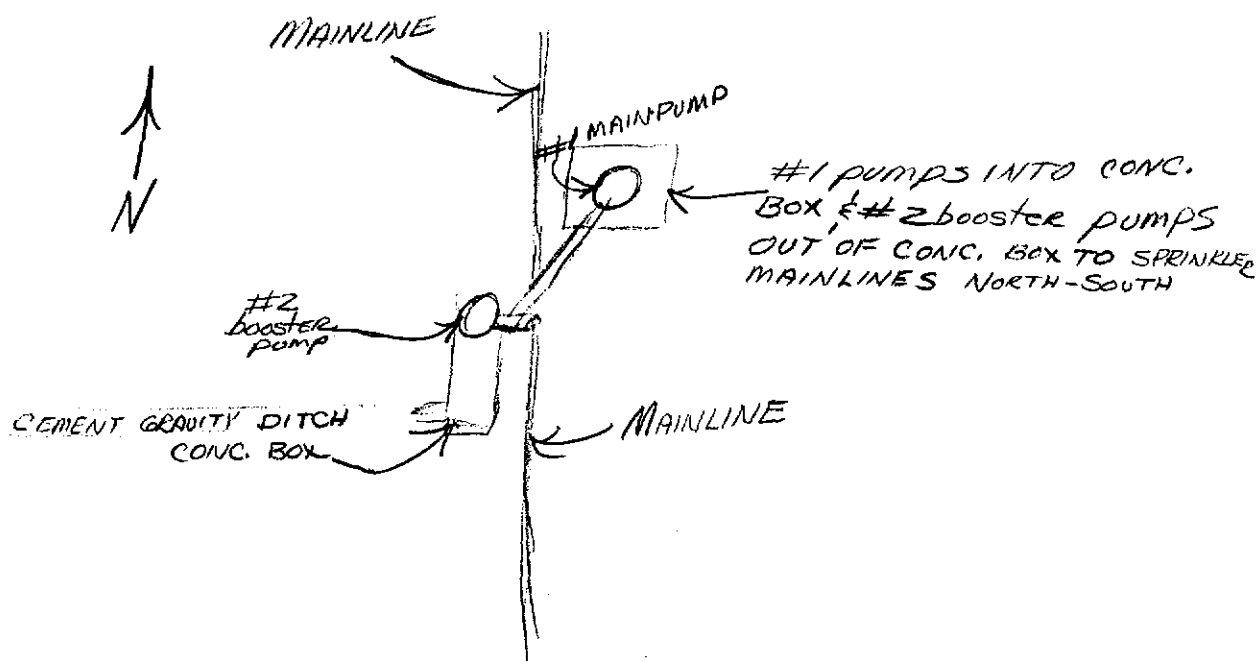


Diagram of System



DATE OF EXAM JUNE 21-71

ACREAGE
Found 287
Recommended 287

Irrigation Requirement 4.5 Ac Ft/Ac

USE
Irrigation Q = 3.35 c.f.s. V = 1291.5 AF/Ann. from MARCH 15 to NOV. 15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: GROUND
twp. 1 N/S, Rge. 1 E/W, B.M., Sec. 16, Sub. NE 1/4 NW 1/4 ADA
County

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4
County

Point of injection:
twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4
County

Point of exchange:
twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4
County

Total Q measured 3.35 Method of measurement PUMP & Pitot

Total Q recommended 3.35 Meter No. _____ Type _____ Condition _____

Total V recommended 1291.5 AF/ANN.

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None

MEASUREMENT CALCULATION:

8 LINES • 36 HEADS ON EACH LINE • 9/16" NOZZEL 30WS. RAINBIRD
55 PSI. AVERAGE (8)(36)(4.22) = 2.70 CFS + SURFACE
WATER IRRIGATION • 65 Total = 335 CFS

SYSTEM DESCRIPTION:

#1 PUMP: 150 H.P. • 1770 RPM • 1150 C.F.S. • 1150 LBS.
1800 RPM • SER. NO. 1353322 • 1/2" INCH • 1/2" INCH VERTICAL PUMP
1200 RPM • 420 FT. • 1770 RPM • 1150 C.F.S. • 1150 LBS.
#2 PUMP: G.E. INDUCTION MOTOR • 100 H.P. • Model 5K6267X44 • Ph. 3 • 60 CYCLES
1770 RPM • 230/460 VOLTS • SER. NO. AET122116 • LB VERTICAL Pump #44592

REMARKS:

#1 PUMPS OUT THROUGH 10" GATE VALVE AND INTO 10" STEEL PIPE
SOUTH-WEST 40' TO CONC. BOX 6' X 12' • BOOSTER PUMP THEN
PUMPS WATER OUT OF BOX FROM 8" INTAKE PIPE THROUGH
8" GATE VALVE AND INTO 8" STEEL PIPE WHICH RUNS
NORTH-SOUTH INTO FERTILIZER MAINLINES.

Examiner's Signature Robert J. Gorman Date JUNE 21-71

Checked by _____ Date _____

Approved by _____ Date _____

A-27

71 N

40

39

8	9
17	16

30

40

39

20

0

ELAM, BURKE AND BOYD
ATTORNEYS AND COUNSELORS AT LAW

SCOTT L. CAMPBELL

700 IDAHO TOWER, TENTH FLOOR
POST OFFICE BOX 1559
BOISE, IDAHO 83701
TELEPHONE 208-343-5454
TELECOPIER 208-384-5844

CANYON COUNTY OFFICE
1120 SIXTH STREET SOUTH
POST OFFICE DRAWER E
NAMPA, IDAHO 83653
TELEPHONE 208-466-9222

September 15, 1989

RECEIVED

SEP 18 1989

Mr. Don Shaff
Department of Water Resources
1301 North Orchard
Boise, Idaho 83720

Department of Water Resources

Re: Jerry L. and Mary Lou Tlucek/Water Right Filings in
Snake River Basin Adjudication

Dear Don:

I have enclosed two Notices of Claim for Water Right for
filing as adjudication claims. I have also enclosed a check in
the amount of \$350 to cover the filing fees for these claims.

Please return to me the carbon copies of the claim forms,
together with a receipt reflecting acceptance of the monies and
claims by the Department of Water Resources.

If you have any questions regarding this matter, please
contact me.

Very truly yours,

ELAM, BURKE & BOYD

Scott L. Campbell
Scott L. Campbell

SLC:jc
Enclosures
cc Jerry Tlucek

MICROFILMED

AUG 19 1992

Ad

ELAM, BURKE AND BOYD
ATTORNEYS AND COUNSELORS AT LAW

700 IDAHO TOWER, TENTH FLOOR
POST OFFICE BOX 1559
BOISE, IDAHO 83701
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CANYON COUNTY OFFICE
1120 SIXTH STREET SOUTH
POST OFFICE DRAWER E
NAMPA, IDAHO 83653
TELEPHONE 208-466-9222

September 8, 1989

RECEIVED
SEP 03 1989

Carter Fritschle
Sr. Water Resource Agent
Adjudication Bureau
Department of Water Resources
1301 North Orchard
Boise, Idaho 83720

HAND DELIVERED

Department of Water Resources

Re: Jerry L. and/or Mary Lou Tlucek/Water Right Filings in
Snake River Basin Adjudication

Dear Carter:

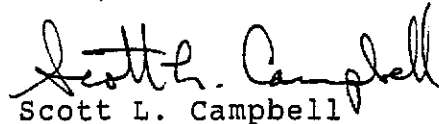
I have enclosed four Notices of Claim for Water Right for filing as adjudication claims. I have also enclosed a check in the amount of \$1,056. Please note that the amount of \$1,056 is more than the required amount for filing fees for these claims. Mr. and Mrs. Tlucek will be filing two more claims in the near future; consequently, please either issue a refund check or indicate that a credit is due the Tluceks.

Please return to me the carbon copies of the claim forms, together with a receipt reflecting acceptance of the monies and claims by the Department of Water Resources.

If you have any questions regarding this matter, please contact me.

Very truly yours,

ELAM, BURKE & BOYD


Scott L. Campbell

SLC:jc
Enclosures
cc Jerry L. Tlucek

MICROFILMED

AUG 19 1992

CLAIMANT'S NAME T LuckCLAIM IDENT. NO. AG 3-03478DATE RECEIVED 9-18-89CK # 0011311AMOUNT \$ 288.000011672

Require Info?

1. Is the name and address complete with zip code? LATE FEE PD ON YES / NO / *
2. Is a priority date entered? / *
- Is the priority date acceptable in view of mandatory filing dates? / *
- See Adjudication Memos #1 and #4 to determine if a Permit is required. / *
3. (a) Is a source entered? / *
- (b) Is a tributary to entered? (if required) N/A / *
4. Is the legal description of the p.d. sufficient? / *
5. Is there a description of the diverting works? / *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. / *
- Is the period of use included? / *
- Is a quantity claimed for each use? / *
7. Is a total quantity claimed entered? / *
8. If required is a consumptive use entered? N/A / *
- Is the consumptive use correct? N/A / *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A / *
10. Is (are) the place(s) of use and purpose(s) indicated? / *
11. Is (are) the county(ies) entered? / *
12. Is the ownership of p.u. checked? / *
13. Are other water rights listed or "none" indicated? / *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A / *
15. Is the basis of the claim indicated? / *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A / *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. / *
18. Has the claim been signed, sealed, and dated by a notary? / *
19. Was this claim filed on time, or was an extension granted? / *
20. Is the fee enclosed correct? Exempt / *
21. If this claim is based on an existing water right, has the identification number been entered? N/A / *
22. Should this claim be data entered? / *

Claim checked by: BDate: 3/15/90Claim must be returned to claimant: (Yes) / (No)Claimant must be notified of modifications: (Yes) / (No)

Receipt Prepared by:

Claim data entered by: B

Sent to claimant by:

Date:

Date: 3/16/90

Checked by:

Date:

Comments:

Send to Scott L Notice of Appearance
Copy sent to Atty 3/16/90 B

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AUG 1 9 1997